

DATE OF MEETING July 10, 2023

AUTHORED BY SADIE ROBINSON, PLANNER, CURRENT PLANNING

SUBJECT LIQUOR LICENCE APPLICATION NO. LA154 – UNIT 2, 5771 TURNER ROAD



Proposal:

Consideration of a new liquor licence application

Zoning:

CC3 – City Commercial Centre

City Plan Land Use Designation:

Mixed-Use Corridor

Lot Area:

0.9ha



OVERVIEW

Purpose of Report

To present for Council's consideration a new liquor primary licence application for an existing Nail Spa located at Unit 2, 5771 Turner Road.

Recommendation

That Council receive the report and recommend that the Liquor and Cannabis Regulation Branch (LCRB) approve the application for a liquor-primary licence at Unit 2, 5771 Turner Road (Posh Nails Spa).

BACKGROUND

A notice of application was received from Posh Nails Spa requesting a local government resolution in support of their application to the Provincial Liquor and Cannabis Regulation Branch (LCRB) to permit liquor to be served at an existing Nail Spa located at Unit 2, 5771 Turner Road. The primary focus of the business is beauty services.

On 2023-JUN-05, Council received an Information Report regarding this application. The application was subsequently considered during the 2023-JUN-15 Special Council Meeting. A municipal resolution is required before the Province will consider the application further.

Subject Property and Site Context:

The subject property is a unit within Longwood Station, a shopping centre that contains retail, restaurant, and other commercial uses. The property is bound by the Island Highway to the west, Turner Road to the north, and Uplands Drive to the east.

DISCUSSION

Proposed Development

The LCRB has requested new liquor licence applications be reviewed in terms of the following criteria, and requests the local government gather the views of nearby residents and business owners on:

- the location of the establishment;
- the person capacity and hours of liquor service of the establishment;
- the impact of noise in the immediate vicinity; and,
- the impact on the community if the application is approved.

Public Consultation

The following summarizes the opportunities for public consultation and information sharing:

- An information report was published on the Council agenda for the 2023-JUN-05 Regular Council meeting.

- A public notice and comment sheet was mailed and delivered to property owners and tenants within 100 meters of the subject property. The notice included details of the 2023-JUN-15 public meeting.
- Notice of the public meeting was published in the 2023-JUN-07 issue of the Nanaimo News Bulletin.
- A total of 35 completed comment sheets were received by the City, of which 26 are in support, one neutral, and eight are opposed, citing the potential for liquor service to be witnessed by minors, potential for noise, early hours, and the availability of other liquor establishments nearby as concerns. A copy of the public responses received is included as Attachment D.
- A Public Meeting was held 2023-JUN-15 to provide an opportunity for Council to hear the public speak regarding the proposed liquor licence application. No members of the public attended the meeting.
- The liquor licence amendment application was referred to the RCMP and City departments for review and comment. Responses are summarized in the sections below.

Location of the Establishment

The subject property is within the Longwood Station Shopping Centre, an established commercial centre in north Nanaimo, which provides adequate parking for the commercial uses onsite. City Plan designates the property as 'Mixed-Use Corridor, and the property is zoned City Commercial Centre (CC3) which permits a wide range of commercial and service oriented uses (e.g. Fast Food Restaurant, Micro-Brewery, Neighbourhood Pub, Restaurant, Retail, Shopping Centre). Other uses within the shopping centre currently include multiple restaurants, financial services, personal service uses, and retail.

The nearest residences are in a multi-family building, located approximately 160m (southeast) from the nail spa, separated from the nail spa by Uplands Drive and a number of commercial buildings.

Liquor service is an accessory function to the principle Personal Service use, the business is appropriately located, and is well-separated from surrounding residences by existing roads and buildings.

Person Capacity and Hours of Liquor Service

The proposed occupancy is 15 persons, and the proposed hours of liquor service are as follows:

	Sunday	Monday-Saturday
Liquor Service Hours	10:00 a.m. – 5:00 p.m.	9:00 a.m. – 6:00 p.m.

The proposed hours of liquor service complies with Council's Hours of Service Policy, the person capacity is appropriate, operating hours are consistent with surrounding businesses, and the proposed liquor service is anticipated to offer a unique amenity for patrons of the business.

Impact of Noise on the Community

Through the public consultation process, some residents expressed concerns about the precedent for serving alcohol in businesses; the early hours for liquor service; that liquor service would be visible to minors; and the concentration of liquor retail/service within Longwood Station and nearby (e.g. pubs and restaurants).

Given that the nature of the business as a nail spa, it is not expected that noise will be generated by the addition of liquor service. The business does not offer entertainment and patron services are entirely contained within the unit.

The liquor application was referred to the RCMP and City departments. The RCMP commented that there are no public safety concerns anticipated should the licence be granted. City departments have advised that they have no concerns in relation to the proposed liquor licence.

Liquor service will be offered to a limited number of patrons within a controlled environment, the nail spa is suitably located within a commercial centre, and is well-separated from residences. No negative impacts are anticipated if the application is approved. |

SUMMARY POINTS

- The application, if approved, will allow liquor to be served within an existing nail salon.
- A public meeting was held on 2023-JUN-15 regarding the application.
- Given that liquor service will be offered to a limited number of patrons within a controlled environment that is well-separated from residences, no negative impacts are anticipated if the application is approved.

ATTACHMENTS

ATTACHMENT A: Subject Property Map
ATTACHMENT B: Site Plan & Details
ATTACHMENT C: Floor Plan
ATTACHMENT D: Public Comment Sheets |

Submitted by:

Lainya Rowett
Manager, Current Planning |

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services
/ Deputy CAO |